Remarks of James Russell Wiggins at the

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The ethics and standards of a profession cannot be contemplated in a vacuum, but must be weighed in relation to the responsibilities of the profession. We need to post the purposes of the press; and then consider how they can be achieved within acceptable ethical standards.

The purpose of the press has, to my mind, never been more succinctly stated than in Rebecca West's fine book, "The Meaning of Treason", in which she said:

"It is the presentation of the facts that matter, the facts that put together are the face of the age; the rise in the price of coal, the new ballet, the woman found dead in a kimono on the golf links, the latest sermon of the Archbishop of York, the marriage of a Prime Minister's daughter. For if people do not have the face of the age set clear before them they begin to imagine it; and fantasy, if it is not disciplined by the intellect and kept in faith with reality by the instinct of art, dwells among the wishes and fears of childhood, and so sees life either as simply answering any prayer or as endlessly emitting nightmare monsters from a womb-like cave". (The Meaning of Treason, Rebecca West, Viking Press, page 56)

Facts are essential in any society, but their disclosure also can be embarrassing, annoying, upsetting, inconvenient, and, on occasion, seditious, subverting, rude, impolite, unkind, and even unfair. Confronted with the primary duty of disclosing the facts of the matter that make up the face of the age, how do we cope with the diverse effects of the facts on individuals and society? That, I suppose is the essence of the problems of ethics and standards.

The ability to distinguish fact from rumor, heresay, gossip, report, prophecy, error, and a thousand other defects in statements alleged to be "fact" must be rated the first and primary task of the editor. It is not always easy. An old colleague of mine served in the army in World War I and was at a Georgia infantry post when Roy Howard sent round the world the premature report of the armistice. When the word reached this particular Georgia post there was a spectacular deterioration of discipline. When the celebrating troops were finally recalled to duty and told the truth, the non-commissioned officers in charge of close order drill undertook to restore things by marching the troops about the parade ground for hours. Then he lined them up, company front, and gave them a lecture, ending with the parting admonition: "And now, remember men, don't be misled by no facts".

Horace Greeley is credited with saying that if God would let something happen, he would let it get into print, but there are facts that, in our complicated age, do not always get into print, so we cannot settle for unadulterated Greeley.

The reading public is not much help to an editor trying to decide what "facts should be printed, for as Benjamin Franklin

noted in his celebrated comment on printers: "If all printers were determined not to print anything till they were sure it would offend nobody, there would be very little printed".

The American Society of Newspaper Editors has twice attempted statements of principles as guides for editors and newspapermen generally, and many others have tried to put into words the proper restraints on unlimited disclosure and ethical limits on the means of getting and printing material. John Hulteng's book, "Playing It Straight", has the texts of the ASNE statement of 1981 and the texts of the Associated Press Managing Editors Code of Ethics, and the United Press International Policy Statement, and of the Sigma Delta Chi Code of Ethics. I wish he had included the ASNE Canons of Journalism of 1922, copies of which have been made available to you. Hulteng's text, itself, is a valuable discussion, mingling as it must the purposes of the press with the ethical means of pursuing them.

There are some isolated sentences in the old document that interest me, stated in a somewhat old fashioned way, such as this one: "A journalist who uses his power for any selfish or otherwise unworthy purpose is faithless to a high trust". Article VI has an injunction I think important. "A newspaper should not publish unofficial charges affecting reputation or moral character without opportunity given to the accused to be heard; right practise demands the giving of such opportunity in all cases of serious accusation outside judicial proceedings".

The preamble of the old Code of Ethics is a distinguished statement that I am sorry was not preserved in the new declaration:

"The primary function of newspapers is to communicate to the human race what its members do, feel, and think".

The new Declaration of Principles and the codes of other professional groups reflect the serious efforts of the profession to spell out the duties and obligations, ethics and standards that ought to govern the press. The AP Managing Editors put the problem of applying these codes in good English: "No code of ethics can prejudge every situation. Common sense and good judgment are required in applying ethical principles to newspaper realities."

The UP statement is, as is usually with it, brief and to the point, but I think it over-states some points. For instance, on privacy, it says: "Every person has a right to privacy. There are inevitable conflicts between this right and the public good or the right to know about the conduct of public affairs. Each case should be judged in the light of common sense, decency, and humanity". I am not sure that "every person" has a right to privacy — the degree of a persons' fame, notoriety, public position, and conduct influences the entitlement to privacy, in my view.

The Sigma Delta Chi Code, adopted in 1973 is a sound statement, with which one could take few exceptions.

All of these documents reflect an earnest effort among newspapermen to raise the standards and ethics of the profession, but none of them could possibly preclude breeches of these standards (when understood) or put them in language so unambiguous that they might not be misunderstood.

John Hulteng's text is much more specific and particular and is of the greatest assistance in interpreting the generalities of

of the broad statements in the various codes. This need to be particular and specific moves me to expand on a few standards that especially interest me in tne hope that they will bring forth further comment from the editors in this group.

On Privacy

One of the most troubleson areas of ethics and standards, in my own view, relates to privacy, and it is especially troublesome in small communities and in weekly rural newspapers. The ordinary private citizen, to some hard-to-identify degree, has what Brandeis called "the right to be left alone", the right to pursue his daily life without being intruded on, trespassed upon, and harrassed by newspapers. In fact, newspapers are quite unlikely to trespass upon the privacy of such individuals. But they may:

If, through no fault of his own, he is the victim of an accident or crime or a natural disaster. Is there then any social justification, of more importance than mere public curiousity, for publicity?

Let us take up the very common case of accidents. A very private person is involved in a driving accident. Is the press entitled to know where he was going, why he was out after midnight, why he was driving a car not his own, why he was going over the speed limit, if he had been drinking and on, and on? To what extent is the newspaper justified in pressing such inquiries and in printing the facts? The answer would be influenced by the degree that there was an invasion of public domain (street or highway), injury to another or damage to another's property,

commission of a crime (OUI) etc.

Let us take up the case of the natural disaster — upset ferry boat, collision of boats at sea, storm or earthquake. It is conceivable that some particular victim might have a good private reason for not being identified among those present, simply wishing to avoid publicity, or just plain shy of public scrutiny. Would editors rightly omit his name from a list of those on the ferry, or at the earthquake site, etc.? Should they?

How about persons accused of a crime? The American Civil Liberties Union waged a strong national campaign for federal and state laws to preclude the publication of those arrested. They succeeded in getting passed in Oregon, Hawaii, Minnesota and Maine expungement statutes providing that the names of arrested persons be expunged on acquittal from all police records. The arguments for this is that the arrest might in future prejudice the ability of the accused to get a job.

Aryeh Neir, then executive secretary of ACLU argued that in his own view names of those convicted as well as those thereafter pardoned should not be available, in police records.

My own view is that the benefit that such secrecy would give an innocent person accused of a crime is outweighed by the objections on the grounds of public policy. The practises of arbitrary government most feared in totalitarian countries are those relating to secret arrest, secret trial, and secret punishment. It is of utmost importance that every arrest by police be recorded, every conviction made known.

So, where involvement in the criminal process arises, the

citizen must suffer a loss of a "right to privacy". A good country weekly, in my view, should publish regularly lists of persons arrested for crimes. I believe the list may have a greater effect as a deterrence to crime than punishment itself. Moreover, it is an assurance to the community that the processes of justice are functioning. Scarcely a week goes by that someone does not phone or appear in person in our office to ask that a name be left off the list. It never is.

Juvenile Cases

The general trend in reporting juvenile crime seems to be toward more publication of names of juveniles. Many states, including Maine, permit use of names in class A cases. But there is a contratrend in some states in the "intake worker" who settles some juvenile crimes without disclosure of names — or settlement, and without concurrence or consultation with courts. This raises some interesting problems.

Conflicts of Interest

Most of our codes and "declarations" inveigh against conflict of interest. How far up does a ban on these conflicts go — how far down? The problems occur at several levels:

Should journalists accept appointive or seek elective office?

The prevailing view now is certainly "no", but it hasn't always been regarded as a matter of ethics or a proper standard. Henry Raymond (1820-1869), the founder of the "New York Daily Times", was a member of the New York Assembly, candidate for Lt. Governor in

1854, author of the Republican party platform of 1856, speaker of the New York Assembly 1862, Republican national chairman and member of Congress. Robert Worth Bingham, publisher of the Louisville Courier Journal and Times, in 1932, was appointed ambassador to England. Josephus Daniels, publisher of the Raleigh News and Observer, was ambassador to Mexico and Secretary of the Navy. The list is endless. In our own times, Harry Byrd, publisher of the Winchester newspapers, became senator from Virginia.

These were not "party" newspapers in the sense of the era up to the Civil War.

The prevailing view now surely is against:

(1) seeking elective public office

(2) accepting appointive public office

It rests on the sound assumption that the press ought to be the censor of government and it cannot very well perform that function impartially if it is operated by an office holder or office seeker.

But how about other situations that involve the publisher or editor in affairs to an extent that prejudices objectivity, such as bank director, corporate director, chamber of commerce?

The tide is against that, too, but men like Jenk Jones of the "Tulsa Tribune" and the late Erwin (Spike) Canham, have served as presidents of the U.S. Chamber of Commerce, without apparent prejudice to their papers or their place in American Journalism.

My own inclination is against this, but I served as secretary to a chamber of commerce when I ran the "Rock County Star" in Luverne, Minnesota. Now, I would not do it. Nor would I serve

on hospital boards (often in the news) or on many charitable boards. When in St. Paul I served on the board of the Goodwill Industries (quite harmless I thought), until the executive director was involved in a crime and the directors told me how grateful they were that there wouldn't be anything about it in the"St. Paul Dispatch".

Yet, I wish to acknowledge a reservation about the policy: there are newspapers I know where the staff has a monk-like isolation from the life of the community, uncontaminated by any close contacts with government, civic organizations, charitable groups, or even fraternal groups. They are not much contaminated by an identification with the community either. It seems to me this is a problem.

Many newspaper owners have investments in corporations and industries often in the news and often covered in their newspapers. Is this identification with the "establishment" objectionable? It is troublesome; but it seems to me the owner or publisher will have to patiently demonstrate his impartiality and — in some instances — acknowledge his personal interests. (One cannot forget the fact that Brandeis sat on Supreme Court cases involving companies in which he had invested. He said if anyone thought he was unable to rise above personal interests of this narrow kind, he should retire from the bench).

I have no reservations about the importance of declining gifts and junkets and requiring staff members to do the same. When I was at the "St. Paul Pioneer Press" we restricted all passes to theaters, symphony concerts, circuses and other affairs to those covering the event. We did the same thing on "The Washington Post".

In my life-time even newspapers like "The New York Times" have only in the last 20 years stopped allowing their sports writers to travel at team expense and some reporters still get pay as score keepers. They shouldn't.

John Hulteng deals well with these conflicts on page 12.

National Security and the Press

"Hard Judgment Calls" is the way Hulteng describes the decision of editors when publication may prejudice national security. This may not arise as often in weekly as in daily newspapers, but it can arise.

Hulteng notes that American reporters knew for weeks that a group of Americans had taken refuge in the Canadian Embassy in Iran but no word got out until the Canadians had spirited the group to safety. He notes that no one questioned the propriety of the news suppression. He doesn't exactly say he did not approve but that is the thrust of his remark. I would dissent. I think there was no news obligation to jeopardize the fate of the Americans in the Canadian Embassy. I remember President Harry S. Truman spunkily telling a group of AP managing editors seeking less secrecy that "it's your country, too, you know". It is difficult sometimes to decide when duty to country supersides duty to a profession. The "New York Times" suppression of the Cuban invasion preparations is one case Hulteng cites. "The Washington Post", in 1963, found out that Prime Minister MacMillan had been asked by President Kennedy, during conferences on Skybolt and the Multilateral Force, to make sure the British Privy Council

supported a ruling on Guyana's constitutional electoral revision that would favor Prime Minister Forbes Burnham, MacMillan promised to do so. The only published reference I have ever seen to this is on page 886 of Arthur Schlensinger's "A Thousand Days". He notes that MacMillan said no on the Multilateral Force but yes on British Guiana. When our reporter sought to conform his story, McGeorge Bundy asked us not to print it, because publication would destroy relations between MacMillan and Kennedy and would upset the decision on proportional representation in Guiana (which favored conservative Forbes Burnham) and throw the election to Cheddi Jagan, resulting in the first communist government in South America. The President himself finally called to say he hoped the story would not be printed. After several staff conferences we decided the story involved no fraud or corruption and, as a story, was not worth the international problems it would raise, or the damage it would do to United States interests. Many of my friends think it was a mistake to do this; others think differently.

We have, on the other hand, seen frequently, an adversary relationship between the press and the government. Either extreme seems to have its threats and dangers. (Salinger on page 325 of his book "With Kennedy", deals with the Kennedy Administration's conflict with reporters in Saigon.) If the "Times" had forestalled the Bay of Pigs, national interest certainly would have been served; but it is unclear to me that putting Cheddi Jagan in control in Guiana would have served any national or world interest. Truman's spunky rejoinder bothers me.

The issues of press-government relations are a little different on a weekly — but they are there. Perhaps it is even harder in a small town or a little state to keep at arms length the people in government with whom journalists must frequently deal. And it is sometimes embarrassing to go from a friendly private luncheon or dinner meeting and draw up your typewriter to denounce the public policies of your late private companions. It may be embarrassing, but it is often necessary.

Political Endorsements

One of the issues involving journalistic standards that always has puzzled me is that of political endorsements. I have been against them. It seems to me wiser to deal with issues in ways that leave individuals room to change than it is to write off individual politicians. I recognize the arguments on the other side. With two or more papers in a city, I might think differently, but with only one printed voice, I think personalities objectionable.

Letters to the Editor

I hope someone has an answer to the problems raised by letters to the editor on a country weekly. In the columns of "The Ellsworth American" we rarely deal with the great cosmic issues of national and world affairs (unless some Maine figure is involved), but our letter writers launch into long discussions of cosmic issues. To me it is a puzzlement. I am equally stumped about length of letters. Our only firm policy is that they must be signed and the names of writers must be printed.

Taste and Propriety

Few newspapers have settled to their own satisfaction their standards on taste and obscenity. I still hate to see four-letter words in print in a family newspaper. But this leads to some absurd bits of Comstockery. A Maine newspaper carried a vigorous defence of the book "365 Days" when Baileyville schools took it out of a school library. A column in the paper stoutly defended the propriety of exposing the school children to the vocabulary of soldiers, but couldn't bring itself to expose its own readers to the four letter words, for which it used euphemisms and dashes. We have had an assault case defended on verbal provocation that could not be described adequately without using some words not often heard in church. Standards are relaxing, these days, but on the whole, the words still make me uncomfortable — in print.

How explicit should we get in the description of sex crimes? The National News Council recently dealt with a Kansas newspaper story which quite explicitly described a sexual assault on a rape victim. It must have embarrassed the victim. On the other hand, it certainly made the crime better understood by the readers. It would take a Solomon to decide where explicit description panders to prurient public curiousity and where it serves the purpose of of informing the reader. (I think I would vote for a less explicit description).

Corrections and Retractions

All our codes and declarations are very explicit on the virtue of quick and complete correction and retraction of printed error.

Life gets more complicated for editors when truth is not easily established on a controverted point. (You can run away from a libel case so fast you trample on your reporters). One of our reporters wrote that a local inn had been "several hours" late in serving a public dinner. The manager angrily demanded a correction. Those present said the dinner was 2½ hours late. We printed an apology for using the word "several", explaining that it means three or more and shouldn't have been used to describe a delay of 2½ hours. The correction made the complainant angrier than ever. It was sort of fun, but unwise. Mostly, it seems to me, a local weekly has to gentle its way out of such situations, without crawling. Sometimes it is not a question of truth, but a question of taking the sharp corners and cutting edges off descriptions, without damage to an account.

Diversity and Standards

The Founding Fathers thought it a bad idea to let Congress establish legal standards for the press; and there is occasion to worry about even voluntary standards of a uniformity too extensive or a rigidity too inflexible. A contemporary British critic of the press, commenting on the coinage: "A free and responsible press!" once said that a country could not afford more than one responsible newspaper. In England, of course, that was "The Times", but most British newspapers got so responsible during the romance of Edward and Mrs. Simpson that the British knew little of the issues until they heard of them from the American press.

For a decade we had a controversy in this country over

"Advocacy journalism" in which the ideal of impartiality and objectivity was attacked and reporters were supposed to take sides in every controversy. (I thought many dailies curiously inverted the geography of the older days by putting opinions in the news columns and news in the editorials).

I did not like "advocacy journalism" because I thought it could only justly mirror society if there were enough newspapers to mirror every shade of opinion, and give every opinion its voice of advocacy.

On the other hand, John Gunther once said of journalism: "A reporter with no bias at all would be a vegetable". Barbara Tuchman said of objective history: "If such a thing as a purely objective historian could exist, his work would be unreadable — like eating sawdust. Bias is only misleading when it is concealed." After reading "The Proud Tower", a onetime member of the Asquith government scolded me in a letter for misrepresenting, as he thought, his party. "Your bias against the liberals sticks out", he wrote. I replied that it was better to have it stick out than be hidden".

Perhaps that is the test of fairness — notice of abandonment of even an effort to be objective. If the reader is put on notice that he is reading a partisan, biased account of an event or a speech, he has not been defrauded or deceived, but the reader is entitled to that fair notice.

To try to enforce objectivity by law or "standard" certainly would be a mistake. The enforcement can be more safely left to the reading public. Unfortunately that protection diminishes as journalistic monopoly increases. Even then, however, the character

of a newspaper is not difficult to discern. Readers, by experience, know how much discount to put on newspapers that are partisan, biased, committed, prejudiced or aligned. And the owners of newspapers know, even in monopoly situations, that the discount put on the editorial columns rubs off on the advertising columns. There are practical premiums on, to use Hulteng's phrase, "playing it straight".

Whatever standards we try to set, we must leave enough play in them to accomodate a variable press — varying from the weeklies to the dailies, from the paid circulation papers to the throw-aways, from the party newspapers to the non-party newspapers, from the advocacy papers to the independent newspapers. Readers have a right to full disclosure of just what those standards are, so they can judge for themselves departures from them.

Manners

Whether or not this comes under a heading of ethics and standards, I think it an aspect of newspaper behaviour we need to examine when we think of standards.

Many of the things newspapers report are disagreeable to many people — but that doesn't warrant rude, impolite, and disagreeable attitudes on the part of those who gather news.

The movie-script legal prosecutor is not a very good model for newspaper reporters. Many seem to think he is. President Eisenhower considered having no press conferences, at first, he was so offended by the prosecutorial tone of reporters in Truman press conferences. He said they made the President look like a guilty mobster in the dock for murder. The skillful interrogator

avoids the antagonistic, controversial, quarrelsome tone.

Some photographers have made rudeness into a trademark of their profession. Instead of trying to be as unobtrusive as possible, they seem bent on being noisy, obtrusive and corrosive. Others forget which side of the lens they are on. Others disregard all rights of privacy — like the photographer who pursued Jackie Onassis. The sort of behaviour of which many of them are guilty has not helped the fight for access to judicial proceedings for the camera. The best of "The Washington Post" photographers were notably deferential, polite and mannerly, and so are many others. Their "diamond in the rough" colleagues make trouble for the rest of the photographers.

Gifts

The gifts that are given to reporters and editors present problems that are infinitely difficult and complicated. They range from items that are mere courtesies to those that are corrupting, from trinkets to travel, from jam to junkets, from sugar plums to sin, from soft soap to subversion.

I am leary of them all, but I have been made aware that over emphasis on trivia can make an editor or reporter sound like a stuffed shirt and a pious prig.

When I went to St. Paul as Managing Editor of the "St. Paul Dispatch", I decided to put an end to all kinds of gifts to staff — theater passes, sports passes, Christmas gratuities, and all the rest.

The manager of a theater chain came to the office to welcome

me and tendered a pass good for all the theaters in the chain. I piously declined to accept it. He was outraged. He said: "You imply that I am trying to corrupt you and bribe you to favor our theaters". I couldn't deny it. I made a longtime enemy. My stiff-necked position became known to staff, however, and I think made an impression of independence and integrity. Today, I think I would take it and never use it. Only reporters covering theater, music and sports are entitled to passes, in my view. (When I left St. Paul, the publisher posted an announcement that the paper would return to the customs of the profession).

We had a strict standard on "The Washington Post". Years after I went to the "Post" friends used to call and ask if I could give them passes to the races, to baseball games, and to theaters. There was a real crisis when Ringling Brothers advance man came in with his free passes.

Another phenomenon of the old press was gifts at Christmas time. Desks in the news room at that season were ornamented with bottles in Christmas wrappings, goodies of all kinds — even turkeys. I think it the custom in few places, now, and we are well rid of it. I suspect donors seldom gave reporters presents because they admired their blue eyes (instead of their black ink). But maybe I am cynical.

Gifts, in some societies, are of a more or less ceremonial character and are hard to refuse without insulting the donor. On "The Washington Post" we had a general policy of making allowance for national customs, accepting gifts (and reciprocating with gifts of equal value). This was sometimes expensive, but it preserved

the situation without giving offence.

A curious case involving gifts once arose when "The Washington Post" did a series on gangsters in business entitled TYGOONS. Eddie Polliard wrote the pieces, describing the life style and investment policies of TYGOONS. Frank Costello liked Eddie's sketch of him. A few days after it was published, his mouthpiece showed up. Eddie came into my office and said he didn't know what to do, because the mouthpiece had told him THE BOSS wished to give him a present.... like a TV set or a radio or a phonograph or a car. If he said "no", Eddie was afraid THE BOSS would be insulted and have him rubbed out. I suggested he tell the mouthpiece he would like an autographed portrait of Costello. Shortly, the portrait arrived. Everybody was happy.

Junkets are a problem. There are places that you can't get to by commercial transport, and others where government conveyance is so much easier that private means is not a good alternative. Then, my own habit is to take the ride, and send the government agency a check equivalent to the commercial fare. I have felt a little silly doing it sometimes, and once or twice in foreign countries, found it impossible to do it.

In many places in the world, visiting groups are given souvenirs of some value. It gets awkward — and even offensive to refuse them, sometimes. But the plight of Mr. Allen suggests it may be a good idea to do so. Many reporters in Washington were embarrassed to discover than an embassy now closed had given them "souvenirs" of some worth, long after the fact.

A distinguished philanthropist I know solved the problem of

the gift conveyed as a magnificent gesture. His butler always stood at the door and recaptured the gifts as the guests departed, murmuring gently, "Oh yes, Mr. Hill always does that!".

I think it was Turner Catledge who set up the standard of acceptability that permitted you to take anything that you could eat or drink on the premises. To decline some gifts of little value is to infer or suggest a very low estimate of your own purchasability. If a gift to a journalist has any value you are bound, subsequently to be regarded as either venal or ungrateful — venal if you write anything complimentary to the donor and ungrateful if you don't. But sometimes it's a puzzlement.

I know that every issue of our paper gives offence to many fine people. I am sure that often it is the "needless" offence of words hastily used to convey a meaning that might have been less offensively communicated.

Frequently it is a matter of a headline, too cryptic to get both sides of the case in print. Sometimes we are intimidated by our own rigid notions of the news standards — too stiff-necked to spare feelings and avoid wounding people when it could be avoided. I am afraid I have softened a little with age and there frequently rings in my ears these days, Bobbie Burns' admonition:

"Then gently scan your fellow man,
"Still gentler sister woman;
"Though they may gang a kennan wrong,
"To step aside is human."